

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

United States of America,

Plaintiff,

Case No. 19-cr-20520

Honorable Bernard A. Friedman

vs.

D-1 Michael Grimes,

Defendant.

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**Application for Entry of Amended and  
Final Order of Forfeiture**

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The United States of America, by and through its counsel, Dawn N. Ison, United States Attorney and Adriana Dydell, Assistant United States Attorney, files this Application for Entry of Amended and Final Order of Forfeiture regarding the Stipulated Preliminary Order of Forfeiture entered in this action on February 17, 2020 (ECF No. 24) (hereinafter the “Forfeiture Order”) to:

- (1) correct clerical errors in the descriptions of certain assets;
- (2) add additional detail to certain asset descriptions;
- (3) remove assets which shall not be forfeited due to value; and
- (4) enter a final order of forfeiture as to the forfeited property.

## **Procedural Background**

1. On August 9, 2019, the United States filed an Information against Defendant, Michael Grimes, which charged Defendant with Count One, Conspiracy to Commit Honest Services Wire Fraud in violation of 18 U.S.C. § 1349, and Count Two, Conspiracy to Commit Money Laundering in violation of 18 U.S.C. §§ 1956(h). (ECF No. 1).

2. On or about September 4, 2019, Defendant pleaded guilty to Counts One and Two of the Information in a Rule 11 Plea Agreement. (ECF No. 14, PageID.47).

3. On February 17, 2020, this Court entered a Stipulated Preliminary Order of Forfeiture as to Defendant (ECF No. 24), which included forfeiture of his interest in the following property:

- a. 2017 Jeep Wrangler unlimited VIN 1C4BJWFG1HL689828;
- b. 2019 Aluma-Weld 22 foot Pontoon boat with 175 horsepower motor, Hull identification number JBC951161819 with trailer and hoist;
- c. 2006 Lowe fish & cruise fishing boat;
- d. 2002 Yamaha Four wheeler, VIN JY4AM02Y12C00648;
- e. 1998 Jeep station wagon, VIN 1J4FY19S1WP753690;
- f. Bradbury Mint and U.S. Mint Commemorative Coin Sets seized on or about March 12, 2019;

- g. Necklace – Jewelry in Edizioni Musei Vaticani box seized on or about March 12, 2019; and
- h. Tiffany necklace, cross, silver in green Tiffany box seized on or about March 12, 2019.

(ECF No. 24, PageID.161).

4. The Stipulated Preliminary Order of Forfeiture also included a forfeiture money judgment against Defendant in favor of the United States in the amount of One Million Five Hundred Nine Thousand Five Hundred Dollars (\$1,509,500.00). The Stipulated Preliminary Order of Forfeiture became final as to Defendant at entry. (ECF No. 24, PageID.162).

5. A Judgment was entered against Defendant on February 24, 2020, which listed the above-described property and incorporated the Stipulated Preliminary Order of Forfeiture. (ECF No. 26, PageID.174).

**Request #1 – Correct Clerical Errors in the Descriptions of Certain Assets**

6. The Stipulated Preliminary Order of Forfeiture contains clerical errors in the descriptions of the following two assets:

- a. 2019 Aluma-Weld 22 foot Pontoon boat with 175 horsepower motor, Hull identification number JBC951161819 with trailer and hoist; and
- b. 2002 Yamaha Four wheeler, VIN JY4AM02Y12C00648.

7. Specifically, the description for the 2019 Aluma-Weld 22 foot Pontoon boat includes a mistake in the Hull identification number and includes a

hoist which was never turned over to the United States. Therefore, the Government seeks to correct the description to the following:

- a. 2019 Aluma-Weld 22 foot Pontoon boat with 175 horsepower motor, Hull identification number JBC95116I819 with trailer, including the following items: One (1) 2019 Veranda VR22RC Pontoon, Ser No: JBC95116I819; One (1) Genesis Boat Trailer VIN: 5KYMB242XJ1016841.

8. Similarly, the description for the 2002 Yamaha Four Wheeler includes a clerical error in the VIN number. Thus, the Government seeks to correct the description to the following:

- a. 2002 Yamaha Four wheeler VIN# JY4AM02Y12C000648.

9. Under Federal Rule of Criminal Procedure 36, “the court may at any time correct a clerical error in a judgment, order, or other part of the record, or correct an error in the record arising from oversight or omission.” A forfeiture order may be amended under Rule 36. *See United States v. Wilson*, 340 Fed.Appx. 562, 565 (11th Cir. 2009) (forfeiture order may be amended under Rule 36 to correct the property identified for forfeiture).

**Request #2 – Add Additional Detail to Certain Asset Descriptions**

10. The Stipulated Preliminary Order of Forfeiture contains incomplete descriptions of the following three assets:

- a. 2006 Lowe fish & cruise fishing boat;
- b. Bradbury Mint and U.S. Mint Commemorative Coin Sets seized on or about March 12, 2019;

- c. Necklace – Jewelry in Edizioni Musei Vaticani box seized on or about March 12, 2019; and
  - d. Tiffany necklace, cross, silver in green Tiffany box seized on or about March 12, 2019.
11. Specifically, the Government seeks to amend the descriptions to the following:

- a. 2006 Lowe fish & cruise fishing boat with trailer Ser No: LWCV0239C606, including the following items: One (1) 2006 LOWE FISH MACHINE 165S, Ser No: LWCV0239C606; One (1) 2006 MERCURY MARINE TRAILER, Ser No: 1B315331;
- b. Miscellaneous Coins and Bills, including the following items: 1 MISC US COINS: 3 SBA \$1, 6 IKE \$1, 18 AVG CIRC. SILVER \$1; 1 MISC SILVER WORLD COINS: 1 MAPLE LEAF, 1 KOOKABURRA, 1 BRITANNIA, 1 PHILHARMONIC, 1 FIJI \$1, 1 ONZA; 5 MISC SILVER US COINS: 5 AVG CIRC SILVER \$1; 1 1oz SILVER KENNEDY ROUND COIN; 1 MISC. SILVER. 1878-CC \$1, 1 MERCURY 10c; 5 5 SILVER COLORIZED WALKER 50c; 1 2018 SILVER EAGLE PCGS MS69; 1 MISC. SILVER, 1882-O/S MORGAN \$1; 1 MISC. SILVER, 1779MO EL CAZADOR 8 REALE; 1 2007 WASHINGTON \$1 PLAIN EDGE NGC MMS65; 6 COLORIZED \$2 NOTES; 2 AVG CIRC SILVER \$1; 5 SILVER COLORIZED WALKER 50c; 1 1879-S REV 78 SILVER \$1; 1 PAPAL LEGACY COLLECTION, 2019 APOLLO \$1, BASE METAL MORGAN DOLLAR REPLICA; 1 KENNEDY 50th ANNIV TRIBUTE; 1 REPLICA MORGAN \$1 PROOF COLLECTION; 1 COMPLETE JFK 50c COLLECTION; 1 US PRESIDENT COLLECTION VOL 11; 1 US PRESIDENT COLLECTION VOL 21; 1 COMPLETE JFK 50c COLLECTION; 1 US COINS OF 20th CENTURY; 1 US UNCIRCULATED SETS; 1 25 YEARS OF US UNCIRCULATED SETS; 1 US PRESIDENT COLLECTION; 1 CHAMPIONS OF LIBERTY 50c; 1 STATEHOOD 25c COLLECTION; 4 JEFFERSON 5c; 6 BUFFALO 5c; 1 1909 VDB 1c; 8 MERCURY 10c; 2 2004 AND 2006 UNCIRCULATED SET; 2 COLORIZED \$2 NOTES; 2 ALASKA STATEHOOD 25c; 5 STATEHOOD 25c; 2 MISSOURI 25c; 2 NFL SUPERBOWL 53 COIN SILVERPLATE; 1 SUPERBOWL 50 COIN

SILVERPLATE; 1 1986, 1990 PROOF SETS, MISC US COINS; 1 2005 UNCIRCULATED SET; 2 1992 AND 1995 PROOF SETS; 1 1994 PRESTIGE PROOF SET; 1 HAWAII STATEHOOD 25c; 11 11 WAR TIME NICKELS; 1 GOLD PLATED PATRIOTS SUPERBOWL TOKEN; 17 STATEHOOD 25c; 15 9 AVG CIRC SILVER \$1, 6 US COMMEM \$1, PROOF SILVER EAGLE, 90% SILVER COINS, MISC US COINS; 3 AVG CIRC SILVER \$1,2 PROOF ASE,3 BU A SE,1 CAN SILVER MAPLE, 90% SILVER, ROMAN ANCIENT, MISC.COINS; 1 BU ASE, 1 AVG CIRC SILVER DOLLAR, 90% SILVER COINS, MISC US COIN; 7 NON SILVER ROOSEVELT 10c1; 1 AVG CIRC SILVER DOLLAR, US 90% SILVER, MARIA THERESA RE-STRIKE, MISC US COINS; 10 AVG CIRC SILVER, 3 MORGAN DOLLAR REPLICAS, US \$10 GOLD EAGLE PCGS MS69,90% SILVER COINS; and

- c. Misc Jewelry, including the following items: 1 Tiffany platinum cross with 2.53TW diamonds on 16" 18K white gold chain; 1 Non silver Rosary.

12. Again, under Federal Rule of Criminal Procedure 36, “the court may at any time . . . correct an error in the record arising from oversight or omission.”

A forfeiture order may be amended under Rule 36. *See Wilson*, 340 Fed.Appx. at 565.

**Request #3 – Remove Assets Which Shall Not Be Forfeited Due to Value**

13. The United States also seeks to amend the Forfeiture Order to show that the United States will not pursue forfeiture of the following property:

- a. 1998 Jeep station wagon, VIN 1J4FY19S1WP753690.

14. The United States Marshals Service (“USMS”) serves as the property manager for the Department of Justice. The USMS can incur costs in connection with maintaining, inspecting, securing, controlling, and selling forfeited property.

15. The United States has reviewed the anticipated price at auction of the property identified in paragraph 13 and determined that the property has little, if any, equitable value and could result in a loss to the United States.

16. For the reasons stated, the Government seeks to amend the previously entered Stipulated Preliminary Order of Forfeiture to remove the 1998 Jeep station wagon, VIN 1J4FY19S1WP753690.

**Request #4 – Enter a Final Order of Forfeiture of the Forfeited Property**

17. The United States provided direct notice of forfeiture to all third parties who may have a possible interest in any of the identified assets. (ECF No. 29, ECF No. 30, and ECF No. 32). The United States also published notice on the publicly accessible website [forfeiture.gov](http://forfeiture.gov). (ECF No. 31). The publication included the correct asset descriptions.

18. No person or entity filed a petition with the Court for any of the forfeited property. The time to file a petition has expired under 21 U.S.C. § 853(n)(2). The Forfeiture Order became final as to third parties on December 27, 2020.

19. As stated above, no one has filed a petition for any of the forfeited property. For this reason, the United States seeks entry of a Final Order of Forfeiture as to the following:

- a. 2017 Jeep Wrangler unlimited VIN# 1C4BJWFG1HL689828;

- b. 2019 Aluma-Weld 22 foot Pontoon boat with 175 horsepower motor, Hull identification number JBC95116I819 with trailer, including the following items: One (1) 2019 Veranda VR22RC Pontoon, Ser No: JBC95116I819; One (1) Genesis Boat Trailer VIN: 5KYMB242XJ1016841;
- c. 2006 Lowe fish & cruise fishing boat with trailer Ser No: LWCV0239C606, including the following items: One (1) 2006 LOWE FISH MACHINE 165S, Ser No: LWCV0239C606; One (1) 2006 MERCURY MARINE TRAILER, Ser No: 1B315331;
- d. 2002 Yamaha Four wheeler VIN# JY4AM02Y12C000648;
- e. Miscellaneous Coins and Bills, including the following items: 1 MISC US COINS: 3 SBA \$1, 6 IKE \$1, 18 AVG CIRC. SILVER \$1; 1 MISC SILVER WORLD COINS: 1 MAPLE LEAF, 1 KOOKABURRA, 1 BRITANNIA, 1 PHILHARMONIC, 1 FIJI \$1, 1 ONZA; 5 MISC SILVER US COINS: 5 AVG CIRC SILVER \$1; 1 1oz SILVER KENNEDY ROUND COIN; 1 MISC. SILVER. 1878-CC \$1, 1 MERCURY 10c; 5 5 SILVER COLORIZED WALKER 50c; 1 2018 SILVER EAGLE PCGS MS69; 1 MISC. SILVER, 1882-O/S MORGAN \$1; 1 MISC. SILVER, 1779MO EL CAZADOR 8 REALE; 1 2007 WASHINGTON \$1 PLAIN EDGE NGC MMS65; 6 COLORIZED \$2 NOTES; 2 AVG CIRC SILVER \$1; 5 SILVER COLORIZED WALKER 50c; 1 1879-S REV 78 SILVER \$1; 1 PAPAL LEGACY COLLECTION, 2019 APOLLO \$1, BASE METAL MORGAN DOLLAR REPLICA; 1 KENNEDY 50th ANNIV TRIBUTE; 1 REPLICA MORGAN \$1 PROOF COLLECTION; 1 COMPLETE JFK 50c COLLECTION; 1 US PRESIDENT COLLECTION VOL 11; 1 US PRESIDENT COLLECTION VOL 21; 1 COMPLETE JFK 50c COLLECTION; 1 US COINS OF 20th CENTURY; 1 US UNCIRCULATED SETS; 1 25 YEARS OF US UNCIRCULATED SETS; 1 US PRESIDENT COLLECTION; 1 CHAMPIONS OF LIBERTY 50c; 1 STATEHOOD 25c COLLECTION; 4 JEFFERSON 5c; 6 BUFFALO 5c; 1 1909 VDB 1c; 8 MERCURY 10c; 2 2004 AND 2006 UNCIRCULATED SET; 2 COLORIZED \$2 NOTES; 2 ALASKA STATEHOOD 25c; 5 STATEHOOD 25c; 2 MISSOURI 25c; 2 NFL SUPERBOWL 53 COIN SILVERPLATE; 1 SUPERBOWL 50 COIN SILVERPLATE; 1 1986, 1990 PROOF SETS, MISC US COINS; 1



2005 UNCIRCULATED SET; 2 1992 AND 1995 PROOF SETS; 1 1994 PRESTIGE PROOF SET; 1 HAWAII STATEHOOD 25c; 11 11 WAR TIME NICKELS; 1 GOLD PLATED PATRIOTS SUPERBOWL TOKEN; 17 STATEHOOD 25c; 15 9 AVG CIRC SILVER \$1, 6 US COMMEM \$1, PROOF SILVER EAGLE, 90% SILVER COINS, MISC US COINS; 3 AVG CIRC SILVER \$1,2 PROOF ASE,3 BU A SE,1 CAN SILVER MAPLE, 90% SILVER, ROMAN ANCIENT, MISC.COINS; 1 BU ASE, 1 AVG CIRC SILVER DOLLAR, 90% SILVER COINS, MISC US COIN; 7 NON SILVER ROOSEVELT 10c1; 1 AVG CIRC SILVER DOLLAR, US 90% SILVER, MARIA THERESA RE-STRIKE, MISC US COINS; 10 AVG CIRC SILVER, 3 MORGAN DOLLAR REPLICAS, US \$10 GOLD EAGLE PCGS MS69,90% SILVER COINS; and

- f. Misc Jewelry, including the following items: 1 Tiffany platinum cross with 2.53TW diamonds on 16" 18K white gold chain; 1 Non silver Rosary.

(the “Forfeited Property”).

20. Value obtained from liquidation of the foregoing assets will be applied towards Defendant’s forfeiture money judgment.

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Based on the foregoing, and the record in this case, the United States requests entry of the proposed Amended and Final Order of Forfeiture submitted to the Court via ECF Utilities.

Dated: July 5, 2022

Respectfully submitted,

Dawn N. Ison  
United States Attorney

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 5, 2022, the foregoing document was electronically filed using the ECF system which will send notification of such filing to all ECF participants.

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